



STATE OF CONNECTICUT
JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

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Testimony of Stephen N. Ment
Labor and Public Employees Public Hearing
March 5, 2015

Senate Bill 1037, An Act Concerning Employee Liens Against
Employers For Unpaid Wages

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch concerning Senate Bill 1037, *An Act Concerning Employee Liens Against Employers for Unpaid Wages*. While the Judicial Branch takes no position on the substance of the bill, the Branch is opposed to the court process outlined within.

Section 1(c) provides that an employer may dispute a lien by filing a complaint in Small Claims court or the Superior Court. Such a provision would be a great expansion of the matters heard by the Small Claims court and by its non-judge magistrates. Small Claims does not currently hear any matter other than those where a limited amount of money damages (\$5,000) are claimed. Further, parties are not permitted to appeal a decision of a magistrate, nor are the proceedings recorded. Complex claims, such as those conceived of in this bill – and which would likely be appealed by the non-prevailing party – would be wholly out of place in a Small Claims courtroom. We would therefore respectfully request that the reference to Small Claims court be stricken from the bill.

The proposal also deviates from long-established practices and procedures governing court process. For instance, the bill states that an employer may file a complaint with the court, and that no later than forty-five days after receiving such a complaint, the court shall act on it. However, the bill does not provide the defendant, in